

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) 8:04CR54
)
)
vs.) ORDER CONTINUING TRIAL
)
INGREAT NORRIS SWIFT,)
)
)
Defendant.))

This matter is before the court on plaintiff's MOTION TO CONTINUE TRIAL (#26). Based on counsel's scheduling conflict and the unavailability of an essential witness, I find that the government has shown good cause for a continuance and trial will be continued to the next available setting, i.e., November 1, 2005.

IT IS ORDERED that the MOTION TO CONTINUE TRIAL (#26) is granted, as follows:

1. The trial of this case is continued to **Tuesday, November 1, 2005** before Judge Laurie Smith Camp and a jury.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **September 13, 2005 and November 1, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).
3. Counsel for the United States shall confer with defense counsel and electronically file a status report no later than **October 25, 2005** advising the court of the anticipated length of trial.

DATED September 8, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge